

Assembly Bill No. 2645

CHAPTER 554

An act to amend Section 5912 of the Welfare and Institutions Code, relating to mental health, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 29, 2010. Filed with
Secretary of State September 29, 2010.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2645, Chesbro. Mental health: skilled nursing facilities: reimbursement rate.

Existing law provides for the licensure and regulation of health facilities, including skilled nursing facilities, by the State Department of Public Health. Existing law requires the State Department of Health Care Services to contract with skilled nursing facilities that have been designated by the State Department of Mental Health as institutions for mental disease to provide services to the residents. Under existing law, as long as contracts require institutions for mental disease to continue to be licensed as skilled nursing facilities, they shall be reimbursed at a specified rate, subject to an annual increase of 4.7 percent.

This bill would, from July 1, 2010, to June 30, 2012, inclusive, set the reimbursement rate for services in institutions for mental disease licensed and certified as skilled nursing facilities at the same rate as was in effect on July 1, 2009.

This bill would declare that it is to take effect immediately as an urgency statute.

The people of the State of California do enact as follows:

SECTION 1. Section 5912 of the Welfare and Institutions Code is amended to read:

5912. (a) As long as contracts require institutions for mental disease to continue to be licensed and certified as skilled nursing facilities by the State Department of Public Health, they shall be reimbursed for basic services at the rate established by the State Department of Health Care Services. Except as provided in this section, reimbursement rates for services in institutions for mental disease shall be the same as the rates in effect on July 31, 2004. Effective July 1, 2005, through June 30, 2008, the reimbursement rate for institutions for mental disease shall increase by 6.5 percent annually. Effective July 1, 2008, the reimbursement rate for institutions for mental disease shall increase by 4.7 percent annually.

(b) Notwithstanding subdivision (a), from July 1, 2010, to June 30, 2012, inclusive, the reimbursement rate for services in institutions for mental disease that are licensed and certified as skilled nursing facilities shall be the same as the rates in effect on July 1, 2009.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order for counties to begin using their limited mental health realignment funds to provide community-based care to indigent residents in need, it is necessary that this act take effect immediately.